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TEAMSTER CONVOY DISPATCH

109

VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975 Nov./Dec. 1988 #83

Gallagher Suit Assures Majority Rule on Local Contracts, Too

Majority Rule Victory!

October 17 was a great day for the Teamsters union. After years of struggle and months of litigation, Majority Rule on contracts became a part of Article 12 of the IBT Constitution. Appropriately, the victory came just days before the TDU Convention in Atlanta, where members discussed going forward to win the Right to Vote for all officers.

A major plank from the TDU Bill of Rights (see page 2) has become the law of our union. No more will UPS workers have a minority contract shoved down their throats. No more will freight Teamsters take concessions after voting to reject them. Grocery and warehouse Teamsters, brewery Teamsters, and Teamster flight attendants have all been victimized by this pro-employer rule and can join us in celebrating this victory.

The employers lost a big round. *Transport Topics*, the publication of the American Trucking Associations, expressed dismay. So did UPS management.

The change in the Constitution provides for Majority Rule in contract votes and strike votes. However, more than half of the eligible members must cast a ballot for majority rule to govern. If less than half the eligible members participate in a specific contract vote, the two-thirds rule will still govern.

This condition of majority participation has been met in all national contract votes for a number of years, and most local ones. All Teamsters will have to be vigilant to ensure a good level of participation to protect our Majority Rule.

How We Won

Following the imposition of the freight contract after 64% voted "No," TDU members filed suit in federal court challenging both the rule and problems with that vote. In settlement discussions of the *Gallagher* suit, IBT attorneys expressed a desire to settle the case for dropping the two-thirds rule, but only on national contracts. The TDUers held firm for Majority Rule on national and local contracts. By Oct. 17, the General Executive Board granted the victory. (See page 10.)

But the lawsuit only capped a long struggle. Twelve years ago, at the founding meeting of TDU, Majority Rule was voted as a goal. At that time few Teamsters even knew the rule existed. Over the years TDU educated members and built support for the change.

By 1986 some 100 delegates at the IBT Convention were in support of the Majority Rule amendment. But every single member of the General Executive Board was solidly opposed, and their big rubber stamp of officials who don't know they work for the members said no. They claimed TDU was trying to destroy the union by proposing Majority Rule!

But momentum was on our side, along with the vast majority of members. Then, in just a one-year period, nearly a half-million Teamsters were hit in the face with minority rule. Finally, the lawsuit focused the issue and provided a way to amend the Constitution.

It was truly a rank and file victory, and well deserved. We congratulate those Teamsters who helped make this possible. And to those who haven't joined TDU yet, why not get on the winning team and help make more victories come true?

Give TDU for the Holidays!

Wondering what to give that Teamster friend who has everything? Got a buddy who's been telling you all year he or she is going to join TDU but can't afford the dues? We've got an idea ... fill out this membership card, ask them to sign it, and tell them you'll pay their first year's dues as a holiday gift.

They'll get a full year of ***Convoy Dispatch****, and you'll feel doubly good knowing you've not only given them a valuable gift, you've helped TDU grow. Or, give yourself a present!*

TDU MEMBERSHIP APPLICATION

Name_____ Local Union #_____
(please print)

Address _____

City_____ State or Province_____ Zip_____

Phone (___)_____ Company _____

☐ City ☐ Road ☐ Dock ☐ Clerical ☐ Warehouse ☐ Construction ☐ Production

☐ Other_____

Optional: Spouse's name_____

___$30 membership fee for one year's membership & subscription to CONVOY DISPATCH.

___$75 three year membership fee. ($10 of this shall be rebated to the local chapter.)

___$15 for spouses; retirees; & Teamsters who gross less than $12,000 a year.

☐ Check or money order ☐ Cash

☐ Mastercard/Visa: #_____ Exp. date___/___

Date_____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Michigan 48210
(TDU membership is kept confidential from employers and union officials)

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From the Members

Another View on ABF Profit Sharing

I'm a long-time member of TDU. TDU is a great organization and has done quite a lot to hold this union together for all of us, and continues to fight for democracy for all Teamsters.

Even so, TDU can also make mistakes and I feel that I must take exception to the article in the October issue about ABF trying to get an ESOP plan passed (under Article 6). I realize most of the trucking companies that have had such a plan went under and the employees got nothing, but I believe that ABF had every intention to stay in business and also to benefit its employees for helping it do so. ABF made mistakes by not having enough stock to ward off a hostile takeover this spring, but it also avoided the takeover and spent a lot of money doing so by finding a friendly company to help.

I have been in this union for almost 39 years and I have totally been against these ESOP plans until ABF came up with theirs. I also believe it is one of the most honest trucking companies I have worked for.

Richard Charleston
Local 431, ABF
Fresno, Calif.

FLASH: Special Bulletin

Management has asked for the reopening of the NMFA, specifically Article 6, which deals with profit sharing and ESOPs. They are so pleased with the number of Teamsters that have accepted Article 6 concessions and have been dooped by their ploy, that they now want to include business agents and officers at all levels of the union.

Since Teamsters have gone through eight years of givebacks, management feels it is time for the union officials to join the rank and file by contributing 15% of their wages to a fund for research and development in the field of brainwashing techniques.

Union officials in Washington could not be reached for comment at this time, but we have had several calls from locals officials around the country asking when and where the vote will be held and if it will be a secret ballot. Many have expressed their outrage that this is a clear union-busting tactic on behalf of management.

Management's response has been they are merely giving the union officials an "opportunity" to vote on the givebacks. As with all such deals, a 75% ratification will impose the wage cuts on all union officials.

Management also announces an ESOP Hot Line will be available 24-hours-a-day until the vote. Any union officials wanting more information on how they will profit and secure their futures under this giveback should call 1-800-SUC-KERS.

Two-time Sucker
Central Conference

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VP at PIE Insults Workers' Integrity

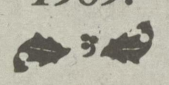
PIE Vice President Jerry McIntyre called a meeting Nov. 11 with drivers and dock workers at the East Brunswick, N.J. terminal. He explained the proposed benefits of the recently passed PIE contract (an Article 6 deal with a 15% pay cut). We listened with great interest as he talked about getting new equipment, repairing old equipment, getting us a bigger terminal, etc.

He said next year we may even get $2,000 or more back per worker. It all started to sound good. Maybe the sacrifice may be worth it. Then he expressed PIE's real union-busting motive as he stated he didn't know if there is any truth to the rumor that some workers will make up their 15% one way or another—by theft or other means. If that happens, he said he will bring in Chimento trucking, a local cartage company with a substandard contract, and do away with the PIE workers. But, he added, he doesn't think he'll have a problem, because we are all talk and don't have enough b--ls anyway.

Now the truth is out. McIntyre wants to create anger and dissatisfaction among us. Then he can create an excuse to bust the union, bring in Chimento and fire us all. I hope the IBT and our local officials can now see the greed behind concessionary contracts, and stop this practice before it totally breaks up the NMFA and we are all out of work.

Gene Matuzak, concerned employees
Local 701, PIE
East Brunswick, N.J.

Wishing You Happy Holidays and a Safe and Prosperous 1989!



TDU Steering Committee

Co-Chairs:
Joe Day, Worcester, Mass., Local 170
Diana Kilmury, Vancouver, B.C., Local 213
Michael Ruscigno, New York Local 138
Michael Savwoir, Kansas City Local 41

Organizer:
Ken Paff, Detroit

Trustees:
John Braxton, Philadelphia Local 623
Dan Campbell, Saginaw, Mich., Local 486
J. Anthony Smith, Washington, D.C., Local 639

Members:
Scott Askey, Barstow, Calif., Local 63
Sarah Bequette, St. Louis Local 600 spouse
Sam Fenn, Los Angeles Local 63
Barbara Mooney, Phoenix Local 104
Luis Ortiz, Phoenix Local 104
O.L. Pinson, Shreveport, La., Local 568
William Stromatt, Atlanta Local 728

Alternates:
Roy Ray, Denver Local 961
Dana Beougher, Tampa Local 79
George Beam, Nashville Local 327

1989 TDU Rank & File Convention November 11 - 12 Pittsburgh

Won't Sign Blank Checks, Contracts

In California we've had three important grocery contracts ratified: the Fleming agreement, where a cut was imposed on workers, but they fought a valiant fight; the Lucky Northern California agreement, where they took a freeze but got a 20% increase in benefits; and the Southern California agreement, with a $1.30 raise over three years and no takeaways—as reported to us by Local 952 Secretary-Treasurer Gerold Scott.

It wasn't until later that we found out retirees would have to kick in $50 a month for medical coverage in 1988, and $100 in '89. Although the trustees delegate the money, it should have been negotiated into the agreement, i.e., more into the medical package for our brothers and sisters living on a fixed income who need our help.

It's no secret how I voted—I don't believe in signing blank checks. For this I was called a fool. We'll see—I'm watching with guarded optimism. Always remember, in the words of John F. Kennedy, "Those who make peaceful revolution impossible, make violent revolution inevitable."

Charles Bonham
Local 952, Albertson's
Southern Cal TDU Steering Cmte.

How to Contact TDU Offices

We want to hear from you. Contact us at one of the locations listed below for more information about TDU, or to send us articles or letters concerning Teamster-related issues.

TDU National Office: P.O. Box 10128, Detroit, Mich., 48210. (313) 842-2600.

TDU Washington Office: 2000 P St., N.W., Room 612, Washington, D.C., 20036. (202) 785-3707.

TDU N.Y./N.J. Office: YWCA Building, Room 620, 30 Third Ave., Brooklyn, N.Y., 11217. (718) 834-0631.

TDU Western-area Organizer: Doug Allan, P.O. Box 7445, La Verne, Calif., 91750. (714) 593-9791.

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in October 1988 for one year. Our Rank & File Convention had 500 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

Washington Watch

TDU Victory Gains Big Back Pay

Drivers in Carolinas Win Gate-to-Gate Suit

Road drivers in North and South Carolina scored a legal and financial victory Sept. 14—enforcement of the 'gate-to-gate' provision of the 1985 Carolina Supplement. Federal Judge James McMillan issued a decision holding the employers and Charlotte Local 71 both responsible for a six-month delay in mileage pay increases that denied hundreds of thousands of dollars to area road drivers.

In May 1985 a new NMFA went into effect. The Carolina Supplement, as well as the Central and Southern Supplements, contained language changing the method of pay for road drivers to terminal-to-terminal pay (or gate-to-gate). Local 71 officials and others touted it as a great victory to 'sell' the contract. The language stated it would be effective in six months.

The union's promises were empty. Months passed with no action. Evidence at the trial showed the union and corporations took no steps to measure the mileage for some five months. Then on March 21, 1986, 10 months after the contract was ratified, the Bi-State Grievance Committee ruled gate to gate would be effective in May, but no retroactive pay would be provided. The same happened in the Central and Southern Supplements.

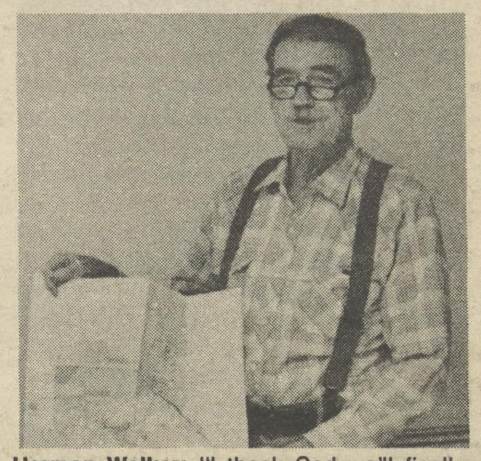
Road drivers in Charlotte were used to side deals and the grievance committee giving away the contract, but this time they took action. Several drivers filed grievances asking for back pay to Dec. 1, 1985, as the contract provided. Denied, Herman Walker, a CF driver in Local 71, did not stop there. He and three other TDUers — Brad Colesworthy, Tera Slaughter and Tom Dillon—contacted TDU attorney Julie Fosbinder and filed suit in federal court in October 1986.

In his decision Judge McMillan stated, "Regardless of their motives, the Union deliberately undertook a course of conduct which effectively modified the contract that had been ratified and deprived its members of their right to vote on the contract modification."

McMillan's decision is most significant for his understanding of the Teamster grievance system. McMillan found the grievance committees do not have the authority to renegotiate contracts. Because they had done just that in the gate-to-gate issue, he ruled the grievance decision was actually an illegal mid-term contract modification. And because the union had not given members a vote on the contract modification, he ordered the contract enforced as written.

The suit was filed as a class action and thus will benefit all road drivers at CF, Transcon and PIE in the Carolinas. Drivers at other carriers in the two-state area did not join the suit.

Judge McMillian must still decide whether the carriers or the union are liable for the back pay. The carriers and union may appeal the case, but chances of reversal are quite small. Local 71 officials would be spending more dues money to try to deny members the back pay owed them.



Herman Walker: "I thank God we'll finally receive justice from the company and the union. I also thank our two attorneys, Julie Fosbinder and Woody Connette, for the superb job they did, and my co-plaintiffs for hangin' in there and believing in our case."

Steps to Take in Severe Weather

Protect Road Safety With 'OSHA 405'

As a result of the *Archie Long vs. Roadway* (see *Convoy Dispatch* #82) and *Duff Truck Lines* cases decided in 1988, drivers now have a cause of action under the Surface Transportation Assist nce Act of 1982 ("OSHA 405"), if they are disciplined (discharged, warned or docked pay) for refusing to operate their commercial motor vehicles under certain weather conditions.

If you feel it is too dangerous to operate your vehicle because of freezing rain, snow or ice, you must take the following steps to be protected under the law:

1. Contact the National Weather Service to learn what kind of weather warning is in effect (traveler's advisories, etc.). Note the date, time, person you spoke with, current weather conditions and the forecast.

2. Contact the highway patrol, police or other law enforcement authorities, and go through the same process detailed above, especially to ask if authorities are advising people not to drive under the conditions.

3. Contact your supervisor or dispatcher, and tell him or her that you are refusing to operate your vehicle because the weather service and/or the law enforcement authorities have issued warnings against driving. You must contact your employer and advise him of your refusal to drive. OSHA 405 requires you to attempt to obtain correction of the safety violation before contacting OSHA. In this case, request the supervisor or dispatcher to relieve you of duty.

4. If you are issued a warning letter, docked the breakdown pay that your contract entitles you to have, suspended or discharged, contact the OSHA regional office in your area and tell them you want to file an OSHA 405 complaint. You have 180 days from the time you are disciplined to file. You may want to contact the TDU Washington office first, for assistance in drafting your complaint letter, compiling witness statements, and determining which of your driver logs will be relevant for evidentiary purposes.

5. If the weather service or law enforcement authorities tell you that it is safe to drive, YOU MUST DRIVE. OSHA will not find in your favor unless there is third-party evidence, not your own discretion, that road conditions are unsafe.

Roadway Appeals *Long* case

Roadway Express has appealed the findings of the *Archie Long* case. The appeal is scheduled to be heard in early December. Although the company appealed Archie's back-pay award on procedural and not substantive grounds, when the appeal is decided it may signify a change in the law's interpretation and enforcement. Contact TDU for an update on the appeal to make certain you are still protected by the law.

Judges' Orders Protect Informed Votes on Carhaul, Signal Contracts

Twice in the last two months, TDU attorney Paul Levy has sought emergency relief in federal court to protect members' rights to an informed vote on contracts. At issue were the various regional supplements in the carhaul and new National Signal Delivery Service agreements.

Carhaulers Jim Carothers and Dennis Wade, and Signal driver Charles Riley requested copies of all the supplements pertaining to their respective contracts from the IBT. Members have a right to review the entire contract before voting on it, because one vote is held on the master and all supplemental language, not just their own supplements. The IBT leadership does not agree on the right of a fully informed vote, and so denied these requests.

Two federal judges, in two separate emergency proceedings, agreed with TDU. In the carhaul case, the judge ordered a delay in the mailing of the ballots so Carothers and Wade would have adequate time to obtain the supplements and distribute contract bulletins to the membership. In the Signal case, the union offered to let Riley look at the supplements, but not to receive copies. The judge, however, said members would not have a fair chance to make up their minds and prepare literature expressing their views unless given copies to take with them.

A court-ordered settlement last year of the *Braxton vs. Presser* lawsuit on the UPS contract upheld the rights of the plaintiffs to receive all the supplements to the National Master UPS Agreement. TDU will continue to take appropriate measures to protect the memberships' right to a fair and informed vote on contracts.

Injunction Returns PIE Activist to Job

The NLRB filed suit in federal district court and won a bench decision to put a PIE worker back to work, pending the ruling of an administrative law judge (ALJ) on his unjust discharge case. The decision effectively shortened the usual process of guilty-till-proven-innocent in discharges.

Road driver Patrick Clement, a TDU member in Milwaukee, was illegally discharged in 1983, a case he took to the NLRB and won in 1986. He was reinstated in 1987 with full back pay, benefits and seniority. Eleven months later, PIE discharged Pat for refusing to take a third shuttle trip to Chicago in one day. Pat's discharge was upheld at the Joint Area Committee in Chicago. But when presented with the same case, the NLRB issued a complaint against the company because refusal of the third trip was common among extra-board drivers.

After a hearing before an administrative law judge Sept. 1 and 2 and while awaiting a decision that might have taken up to six weeks, Pat's NLRB attorney requested and received permission from the labor board to file for an injunction in federal district court. Called a 10(j) proceeding, such suits previously were used to enjoin employers to temporarily reinstate groups of workers. But on Oct. 3, Judge Terence Evans found the evidence of discrimination so compelling, he issued a bench decision to temporarily reinstate Pat pending the ALJ's decision.

ALJ Arline Pacht agreed on Oct. 28 that PIE's firing of Pat was discriminatory and in retaliation for his previous victory at the NLRB and other union-related activities. Again, full back pay, benefits and seniority were ordered.

"PIE is still contesting the terms of my reinstatement in 1986. Given the company's history of not obeying NLRB decisions and judges' orders, if it wasn't for the 10(j) injunction and Evans' order, I might still be out of work, even with Judge Pacht's decision in my favor," Pat explained.

Unity Wins CF Strike at Fremont

"CF didn't spend millions of dollars to take us on over four men. They were after our union. We're making a comeback, and they can't stand it." —Larry Shisler, CF road driver, Local 414.

Teamster Local 414 struck CF at Fremont, Ind., on Oct. 26 over its total refusal to bargain fairly and sign the standard Indiana mechanics contract. CF all but dared the local to strike, anticipating weakness. But it got more than it bargained for. Six days later the union backed the company down.

The four garage employees had joined the union some six months earlier, but CF stalled endlessly and made ridiculous offers. Finally, Local 414 set a deadline, CF ignored it, and on that Wednesday afternoon the four walked out—and with them nearly 400 drivers and dock workers at the breakbulk.

Local 135 in Indianapolis granted the right to extend the picket lines and the strike shut down CF's big Indiana operations. The Ft. Wayne terminal also respected the extended lines. Because drivers and dock workers were not on strike, but respecting the mechanics' strike, they could not actually picket. The local organized picketing and got help from Teamsters from Ft. Wayne Super Valu, Indianapolis Roadway, and others.

CF spread baloney and threats to get people to cross the lines, but failed. A handful did cross in Fremont, but some 95% were rock solid. A 4-by-8-foot sign hastily put up just outside the terminal summed it up: "Teamsters Local 414—United We Stand."

CF spread the word the strike was unsanctioned, which was false. It sent notices to those respecting the lines, stating they would be disciplined if they failed to show up at 6 a.m. Oct. 31. Some 300 Teamsters did show up, but to show unity, not to back down. Their union president, Walt Lytle, informed the company they would not cross a picket line.

Teamsters under the NMFA have a perfect legal right to respect such a picket line under Article 9. By Oct. 31 other locals were prepared to welcome extension of lines to their terminals. That proved unneccessary. Later that day, the strike was settled favorably for the four mechanics, for Local 414 and for Teamster solidarity.

CF had diverted freight, run drivers over the DOT limit from Buffalo to Chicago, and done everything else in the book to minimize the impact. But the strike cost the company both during and afterward.

Solidarity carried the day. Fremont Teamsters can hold their heads high for sending a message to the corporation, and to all other CF Teamsters about how to stand united.

CF's 'Light Duty' Program to Expand

CF has instituted the Article 14 "light duty" program at six locations in five states and will expand the program to six more locations in four more states by the end of the year. How's it working out? The company loves it.

"Return to work programs are the single most effective means to control costs," according to Roy Truelsen, workers compensation attorney for CF. Quoted in the Nov. 14 *Transport Topics*, Truelsen said workers comp costs can be reduced by 19%-22%.

Injured employees who cannot return to their regular jobs have been given the "opportunity" to work in "transitional" jobs as painters, janitors (yes, they are cleaning toilets), maintenance workers, and security or "dock assistants."

Many of these jobs are in the bargaining unit at some terminals. Where they are not, they should be. The company figures why pay a union wage when you can pay $5 per hour, while the worker benefits by "continuing a normal work schedule and associating with fellow workers."

Truelsen noted that almost all state laws allow either a reduction or elimination of comp benefits if the worker refuses to be in the program. So much for the "voluntary basis" mentioned in the contract.

The International has had second thoughts about the program, but too late. It deleted the new language in Article 14 from the PIE, Jones Transfer, and other recent Article 6 deals.

"Good employees support the program, poor employees tend to resist the program and would prefer to stay at home," Truelsen said.

Gee, why would a worker with a broken arm want to stay home instead of cleaning toilets?

Job Protection Campaign Is Top Priority

Members at the freight Teamsters meeting at the TDU Convention decided the time is right to begin a national campaign to protect freight Teamster jobs.

A resolution passed calling for steps by our International union to investigate the diversions of Teamster freight and to organize the Con-Ways and Viking.

Members elected the TDU National Freight Committee to develop our own campaigns, including a brochure on job protection and company networks to build unity.

CF Teamsters are publishing the "CF Network News." Other networks are planned at Roadway, Yellow and PIE. If you would like to be a part of our networks, give us a call today.

TDU National Freight Committee

Delmar Bequette, PIE, St. Louis Local 600
Patrick Clement, PIE, Milwaukee Local 200
Calvin Davis, Roadway, Memphis Local 667
Ron Easton, CF, Chicopee, Mass., Local 404
Bob Ellerman, Yellow, Los Angeles Local 208
Greg Glueck, Yellow, Barstow, Calif., Local 63
Don Landis, PIE, Bath, Pa., Local 773
Mike Molgard, Northwest Transport, Denver Local 961
Bill Stromatt, Yellow, Atlanta Local 728
Jack Widmer, CF, Richfield, Ohio, Local 24

Freight Lines

Mira Loma CF Wins Claims on Brokers.

At the November Joint Western Area Committee, CF drivers at the Mira Loma breakbulk won an estimated 100 money grievances on use of brokers, steward Bob Kirkpatrick reports. He and the other stewards had prepared grievances on CF's practices of using brokers "one-for-one" with extra-board drivers. Management also had sent line drivers used for shuttle work home after eight hours and used brokers to cut overtime work. CF lost on both issues.

Whose Preference Is Served by 'Preferential Hiring' Clause?

For the second time in as many meetings the JWAC failed to come to a decision on a grievance out of Albuquerque Local 492 on ABF's subversion of Article 60, the preferential hiring list for casuals. The committee postponed a decision in August, and said it ran out of time to hear it at its November meeting.

After the new contract language took effect last summer, 12 long-term casuals were let go after being told they did not meet ABF's hiring standards (see *Convoy* #81). Some later signed waivers, but several stuck to their principles and refused to sign. Instead, they filed a grievance and have been strapped ever since. Now they are looking at their last week of unemployment compensation and waiting until February for justice. Meanwhile at Yellow in Albuquerque, the "preferential hiring list" is a big help to management personnel who want to get their relatives a good union job. This was not the intent of the language.

Freight Industry Profits Up.

The industry rebounded from 1987's sluggish pace in the first half of '88. More freight, more revenue and much more profit is being turned by the trucking companies, particularly the Big Three. Comparing the first six months of '88 with the same period in '87, the American Trucking Associations' statistical analysis department found a 10% increase in revenues, a 9% increase in tonnage and about the same level of profit. The profit level was stagnant as a result of a poor first quarter. However, second quarter profits show a 10% increase over the second quarter of '87.

Big Three Profits Increase at Fast Rate.

The nine-month totals for CF, Yellow and Roadway show spectacular growth in net profits, according to *Transport Topics*. Yellow reported a 60% increase during the first nine months of 1988 over the same period in '87. Third quarter profits in '88 were up 130% over '87. Roadway put together a 60% increase during the first nine months of 1988, with a 100% increase in the third quarter. CF increased its profits by 35% for the first nine months and experienced a 100% increase in the third quarter. The third quarter includes the full effect of the first pay raise under the new agreement, along with the step-up for employees under the old two-tier system.

Big Three Bosses Reap Big Benefits.

A special *Business Week* "Corporate Elite Edition" (Oct. 21) gives a rundown of top official's salaries. It's no surprise to find the biggest of the Big Three bosses included.

Larry Scott, CEO for CF, was amply rewarded with a $394,000 salary in 1987. He also owns 21,000 shares of stock valued at $648,375 (as of Nov. 18). Business Week remarks that Scott is "diversifying beyond mature long-haul trucking." Translation: he's building his non-union regional network of Con-Way operations.

Roadway Services' big boss, Joseph Clapp, made a mere $273,000 for 1987. However, 30,000 shares of stock in his name valued at $877,500 should keep him out of the poorhouse. *Business Week* says, "In the cab for a year, he's a more aggressive driver then his predecessors." His aggressiveness refers to the purchase of Viking, the large non-union carrier.

Yellow Freight's George Powell Jr.—not to be confused with George Powell, his father, or George Powell, his son, who will be taking over the reins of the company shortly—continues to enforce a strict policy against hiring any relatives. His $645,000 salary for 1987 topped the list of big bosses in trucking as did his 70,000 shares of company stock valued at over $2.2 million. The salary alone equals about 15 years of work for the average Yellow employee. Kind of makes your 35-cent raise seem a little skimpy, huh?

Transcon Buys Non-Union TL Carrier.

Transcon CEO Orrin Neiman, while not making the "Corporate Elite," certainly is picking up on some of the tactics of his wealthier peers. In a second quarter report to stockholders, Neiman could barely contain his enthusiasm in announcing Transcon's success in getting "significant wage concessions from our union employees." One month after the wage concessions passed, Transcon bought non-union ARA Trailblazer through its Keystone Line, a non-union truckload subsidiary. Not bad for a company that was about to go out of business in two weeks if it didn't get its concessions.

It's No Big Deal—Yet

Yellow Freight Withdraws from TMI

Yellow Freight on Sept. 22 officially withdrew its membership from Trucking Management Inc., the bargaining agent for the major NMFA carriers. Yellow's action does not alter any contractual obligations, or significantly change anything for now. But Teamsters should be aware of its future implications.

You can almost sympathize with Yellow. It has not operated non-union subsidiaries as its main competitors, Roadway and CF, have done. These competitors have definitely developed an edge in the freight war. Yellow's withdrawal from TMI has broken the employers' "solidarity" in negotiations with the union, but it also may result in breaking up the solidarity of freight Teamsters in 1991.

If Yellow were successful in negotiating a separate contract, what would prevent CF, Roadway or other NMFA carriers from demanding the same? Today the NMFA is hanging by the slimmest of threads, as a "national pattern" allows as much as 15% difference in labor costs.

Separate contract bargaining would break up a unified position by the union and put Teamsters in direct competition with their brothers and sisters. Bargaining would take on the aspect of "what's good for our company," as opposed to "what's good for us as freight Teamsters," resulting in a continuing drop in wages and conditions.

Yellow announced, "We believe we can be more attentive to the mutual interests of our company and employees separate from our competitors." The company may surely benefit, but will the workers?

George Powell III instructed management not to speculate on the implications of Yellow's pullout. Some managers, however, went way out on a limb. In Southern California one terminal manager remarked to workers, "Do you think a driver in Mississippi should make as much as you do here in California? Getting out of TMI will let us have more reasonable wage scales in different areas of the country."

Other managers mused on the possibility of offering profit sharing in lieu of wage increases. While this is speculation, it does provide some idea of where management is coming from.

Meanwhile, Yellow is working on the next contract negotiations along a completely different line. An internal memo from Leo Suggs on the subject of work rules, local agreements and work practices went to all regional and labor relations managers Sept. 6. In it was a questionnaire and a directive to begin collecting data.

"This information is needed to allow us to move toward uniformity in future work rules negotiations. We intend to implement a formal approval process for changing local work rules so we can assure knowledge and agreement at all levels," Suggs wrote.

Anyone who thinks uniform work rules would bring workers up to the highest levels established throughout the system should think again. The questionnaire included questions on the number of paid break periods, wash-up time, red circle rates or instances where employees are paid a different rate than specified in the contract, bidding procedures, unique local practices, and any past practices.

Why does Suggs want to compile such data? To bring the highest down to the lowest and establish *that* as a "uniform procedure." The final question is the tipoff: "Describe any other related situations that have a negative impact on productivity or cost."

Teamster President William McCarthy has stated freight is the backbone of the union. To strengthen that backbone, he should make it clear to Yellow, or any other employer thinking of breaking the master agreement, that the union will not tolerate separate negotiations, but will stand united in its efforts for justice on the job.

While the employers plan for the next contract, the union should collect its own data and make plans to strengthen an ailing NMFA.

Contract at Signal

Some 3,000 drivers at Signal Delivery, a subsidiary of Leaseway, have a new three-year contract that expires June 1, 1991. But many of them are not happy about the two-tier deal, which establishes an "appliance rider," a "truckload rider" and five regional supplements.

The deal was rejected by most locals in the Midwest, and in Atlanta, Jacksonville, Fla., and IBT President William McCarthy's Local 25 in Boston. Big "Yes" votes in Greensboro, N.C., Memphis, Tenn., Kansas City, Mo., and Philadelphia were a deciding factor.

Despite promises to upgrade the tiered wage levels, the deal set them in place until at least '91. In the appliance rider, new hires will make well below full scale, with no catch-up provision. The truckload rider could potentially lead to worse deals.

In some areas, no two-tier or rider is in effect, so members tended to vote more favorably. (See page 3.)

You Can't Win 'Em All, Clyde

Memphis Yellow Drivers Win Time-Off

Clyde Maxwell, Memphis linehaul manager, was dragged kicking and screaming into changing the unfair and unsafe time-off procedures he had instituted for drivers at the Yellow Freight terminal. But all the kicking and screaming in the world couldn't stop the changes, not when the heat was coming from Yellow headquarters, Local 667, and most importantly, the drivers themselves, who are tasting the sweet success of sticking together and winning.

The changes began after the last *Convoy Dispatch* exposed conditions at the barn. Drivers were not allowed to take time off except on their sixth, 12th or 18th tour, no matter what the circumstances. Other problems were addressed, such as the treatment from dispatchers and drivers running hot and logging incorrectly.

After the article appeared, company officials from Kansas City went to Memphis to investigate. As a result, drivers now can request time off at any time after the sixth tour if they have time in the bank and 15% of the board isn't off.

Maxwell was not pleased with the change. After a week or so, he sent a memo to the dispatchers ending the new procedure because he "couldn't live with the new time-off procedures." Local 667 then stepped in and forced Maxwell to reinstitute them.

Drivers report they now have no problems getting the time off they need and the dispatchers are treating them with more courtesy and respect.

"Things are a whole lot better now, but we still have some problems we need to take care of," one driver said. Drivers met in late September at a TDU meeting to begin to map out plans for further changes.

"We've shown what sticking together can accomplish. Management here is good at tearing down that unity by playing favorites and convincing some of the drivers to run hot. We're out to convince all the drivers that their best interests are in acting like brothers, and placing the good of all above getting a few extra bucks in their own pockets," another driver said.

Lawsuit on NMFA Ends

In November the lawsuit filed by four Teamsters on the NMFA vote was settled, with Majority Rule securely written into the IBT Constitution. The plaintiffs also had sought to have the ratification of the NMFA ruled illegal, but were unable to do so.

The status of the *Gallagher vs. Mathis* suit was presented to freight Teamsters at the TDU Convention. Decisions made by the court slowed the case down, while our side had the burden of proving massive fraud in the voting procedure. We lost on that count.

A vote taken at the convention affirmed that TDU would accept the judgment of the plaintiffs and attorneys who had pursued the case relentlessly for the past six months. The case continued after the convention, including the deposition of IBT Vice President Walter Shea.

Three weeks later, TDU attorneys filed papers in federal court ending the suit. Although we lost on overturning the NMFA, the gains of the case were enormous.

Foremost was the achievement of Majority Rule. During the course of the suit, the IBT leadership had tried to settle for Majority Rule on national contracts only, creating two classes of Teamsters. The final outcome benefits all Teamsters by extending Majority Rule to local contracts as well (see page 10).

We also established a base of information through weeks of work by TDU attorneys, who reviewed IBT documents regarding contracts and voting procedures. As a result, it will be easier to police contract votes in the future.

Rank and file Teamsters made this victory possible. Those who founded TDU and set the goal of Majority Rule. Those courageous delegates to the 1986 IBT Convention who carried the fight. Those who led the nationwide contract rejections of 1987-88. And those who filed the *Gallagher* suit and who donated to TDU-STRIVE.

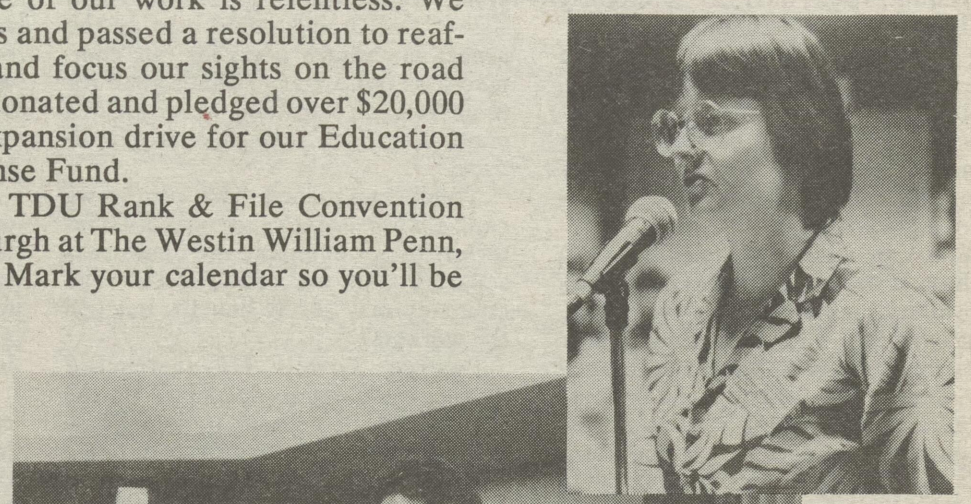
TDU Rank & File Convention

Celebrating Victories and Planning f

Nearly 500 Teamsters from coast to coast converged on Atlanta Oct. 21-23 for the TDU Rank & File Convention. We came to learn, in 17 workshops, from labor leaders, educators, attorneys and each other. To make plans, in our plenary sessions and craft meetings. To make decisions, democratically, with majority votes, open debate and respect for divergent views. After the sessions, we shared meals and swapped experiences with our brothers and sisters.

We had much to celebrate, but spent most of our time talking about where we are headed. We shared the pride of our accomplishments, but know the nature of our work is relentless. We pooled our ideas and passed a resolution to reaffirm our goals and focus our sights on the road ahead. And we donated and pledged over $20,000 to kick off an expansion drive for our Education and Legal Defense Fund.

Next year the TDU Rank & File Convention will be in Pittsburgh at The Westin William Penn, Nov. 11 and 12. Mark your calendar so you'll be ready to attend.



TDUers are never short of ideas, and the convention is a great forum in which to express and build support for those ideas. Left: Teamsters at work in the national freight meeting; above: O.L. Pinson of Shreveport, La., stands to address the freight meeting; above right: Connie McArthur of Seattle at the mike during a business session.

Resolution on TDU Goals

Adopted by the TDU Rank & File Convention, Oct. 22, 1988, Atlanta.

The rank and file movement within the International Brotherhood of Teamsters has reached a new stage as a force for democratic change. The pace of change has quickened with each contract that is rejected, with each official indicted and with the unprecedented growth of TDU.

The end of the two-thirds rule is just the beginning of a new day of reform victories. Teamsters for a Democratic Union has led the fight for a stronger and more democratic union. Without an organized national voice of the rank and file, these changes would not be happening.

Parts of our reform program are now being accepted by top officials. We welcome their support. When those who have opposed us at every step of the way now endorse certain TDU planks, we know we are gaining strength and are on the right track.

***Therefore,** TDU has a major role in continuing the struggle. We must redouble our efforts to organize and educate, for real and lasting reform and union strength will come from an organized and informed rank and file. We must move full-speed toward democratic reforms, such as the Right to Vote for all officers.*

With that in mind, we affirm these principles and goals of our organization:

- TDU is the movement of working Teamsters committed to defending and improving our working conditions. We are Teamsters first. TDU is committed to continuing to lead the rank and file movement for reform, democracy, solidarity and strong unionism.
- The major reform we are committed to is the rank and file's Right to Vote in a direct election for our International officers.
- TDU is committed to seeking allies and working with any and all officials who are in agreement with reforms that will strengthen our union, while maintaining our principles as a rank and file movement.
- The main focus of TDU activity will remain to strengthen the rank and file movement. We will redouble our efforts to build strength and influence at the local level by participating in the political life of local unions, and through this process emphasize our democratic platform.
- TDU will redouble our efforts to build the rank and file networks within jurisdictions, companies and geographic areas, with the goal of developing more rank and file leadership, which will one day lead this union.

We set these priorities and objectives for the coming period:

1. To achieve a sizable number of delegates to the next IBT Convention who are TDU members, and who will act as a core group and draw support from other delegates, with the aim of achieving a majority of delegates who will support democratic reforms, including the Right to Vote.

2. To affirm our positive approach to change in the union, and our willingness to cooperate on projects with others, including International union leaders with whom we disagree on many issues.

3. To develop more volunteer regional organizers, willing and able to travel and meet with Teamster members to stimulate chapter development.

4. To double our size by 1991, directing that recruitment of new members be emphasized in our efforts.

5. To direct the International Steering Committee (ISC) of TDU and staff:

- To continue to lead campaigns for strong contracts and against concessionary bargaining, to educate and unite the rank and file against union-busting employers, and to safeguard the health and safety of all union members.
- To produce a new publication in *Convoy Dispatch* format, explaining to all Teamsters TDU's goals and objectives in this new period. (Spanish-language copies will be made available.)
- To increase TDU's organizing at the national level, including expanding the staff, with full recognition that this will require growth in membership and fund raising.
- To develop a program for winning adequate pension and health and welfare plans for all Teamsters. We are for reciprocity between all funds.
- To continue to extend our organizing and outreach beyond trucking and warehousing to include all Teamster jurisdictions, with particular emphasis on women Teamsters.

6. Furthermore, TDU will encourage members and local chapters to be involved in the political life of local unions, including actively participating in meetings, running as stewards and local officers, and encouraging other candidates to back democratic principles.

ng for the Future of Our Union

What They Were Saying at the Convention

In my 10-year experience with TDU, I have met my share of wise guys and skeptics who said it could not be done, that the task was too great, and that the IBT would destroy us one way or another. It is obvious that the skeptics were wrong, but how wrong has surprised even the most optimistic observers. ... One thing is certain, instead of being a small group of dissidents that the IBT tried to bully out of existence at the 1976 International Convention, we now have grown into the most energetic, wholly owned, operated and financed rank-and-file reform organization in North America. And when we speak, the IBT listens.

— Bill Slater, Local 315 (retired), Lakeport, Calif.

We were able to bring hope, and the true meaning of unity and brotherhood to over 8,000 Teamsters in Georgia. With every victory that we're able to achieve, the flames of democracy grow stronger. And in 1991, these flames will reach [the IBT Convention in] Las Vegas, Nevada.

—Don Scott, Local 728, Atlanta

1988 has been a very exciting year for all of us. We've been fighting long and hard for Majority Rule. Our General President, Billy McCarthy, did not wake up one morning and say, "Gee, Majority Rule would look good today." No, they're listening to us.

—Rick Clark, Local 25, Boston

We are here because we have faith—we have faith in TDU. Where there is unity, there is strength. God has given us sense to help ourselves. We must help ourselves. We must stick together. We must go out and not be afraid of what someone else tells us. I'm not afraid. I'm glad to support this organization. I'm glad to support it financially. It has become a part of my life to support TDU.

—O.L. Pinson, Local 568, Shreveport, La.

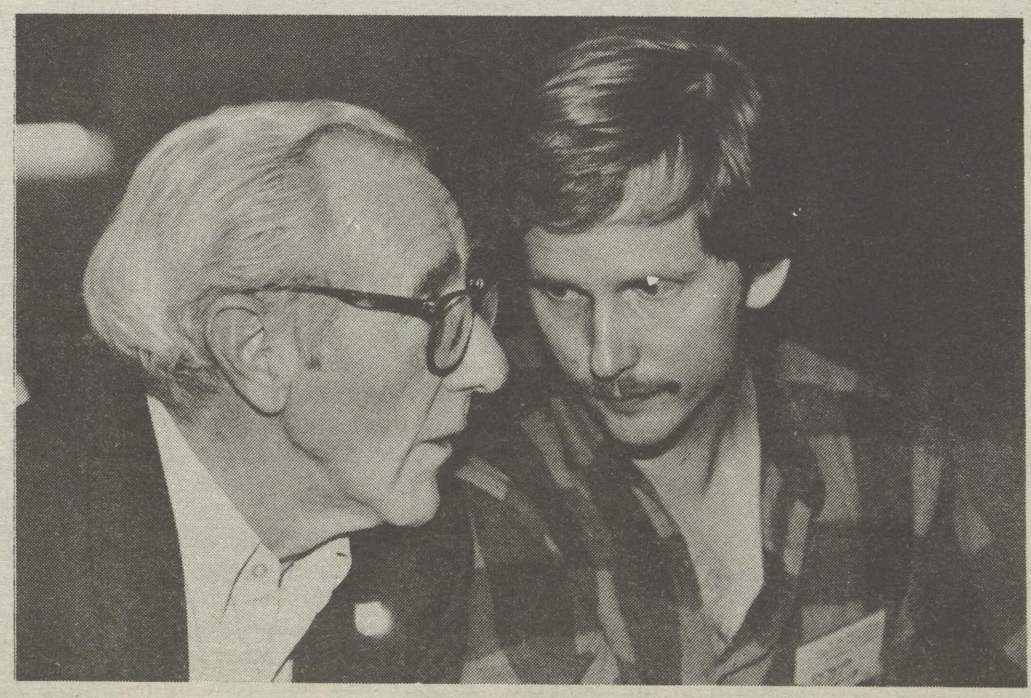
The struggle for the thing we call democracy requires eternal vigilance. Each generation puts its building block in place. That's the price, let's not kid ourselves about it. There is, growing in the ranks, a wildfire for change. It's going to sweep this nation and you're a part of it. It is not confined to any one union alone. We must build the kind of rank and file strength that will set in motion once again the forces of change. ... I don't think any trade union leader has a moral right to give up what another generation has fought and died to win. ... I want to make a prediction. In this next decade the fighting militant leadership, the leadership with social vision as to where we ought to be moving, in large part, is going to come out of the ranks of women.

—Victor Reuther, co-founder United Auto Workers (retired), Washington, D.C.

New TDU Steering Committee Elected

An important part of every Rank & File Convention is the election of the TDI International Steering Committee for the coming year. Pictured, left to right, front row: Dana Beougher, Tampa; Sam Fenn, Los Angeles; Sarah Bequette, St. Louis; Bill Stromatt, Atlanta; George Beam, Nashville; Diana Kilmury, Vancouver, B.C.; back row: John Braxton, Philadelphia; Michael Savwoir, Kansas City; J. Anthony Smith, Washington, D.C.; Ken Paff, Detroit; O.L. Pinson, Shreveport, La.; Michael Ruscigno, New York. Absent from photo: Scott Askey, Barstow, Calif.; Dan Campbell, Saginaw, Mich.; Joe Day, Worcester, Mass.; Barbara Mooney, Phoenix; Luis Ortiz, Phoenix; Roy Ray, Denver.

The camaraderie will never be forgotten. Left: Sam Grant and Ron Smith of Atlanta review the convention schedule; lower left: Ed Lovingood and E. Dale Williams of Jacksonville respond to rank-and-file speakers at the opening session; below: Doug Allan of Los Angeles and Jim Moody of San Diego hold a mini-caucus.



Strikers' Campaign Blocks Lucky

Over 2,000 Northern California Teamsters at Lucky Stores and Safeway took on the country's largest and third-largest retail food chains—and stopped them in their tracks.

Lucky and Safeway Teamsters in six locals voted Oct. 9 on a two-year master contract. The contract would have frozen wages at current levels—$16.62 for drivers, and $15.91 for warehouse workers. The real concession was a "parity" clause, to go in effect in April 1990. The clause would lower wages and benefits to the level then in effect at Certified Grocers' warehouse in Stockton.

Local 490 members Steve MacDonald and Gary Weichold, drivers for Lucky Stores, on "Welcome Back Customer Day."

Since Certified moved to Stockton in 1987, along with a contract below the area standard, employers have used it as an excuse to demand concessions. But many Teamsters point to Certified's relatively small share of the Northern Cal market. For Lucky and Safeway to demand parity, said one Teamster, is "like Macy's asking for parity with a five-and-dime store."

The Lucky/Safeway proposal was rejected 879 to 326. "The general feeling was that we got sold out," explained one member. "Why should we take parity with an area like Stockton where there's a lower standard of living?" In bargaining-committee chairman Casey Sawyer's Local 490, the proposal was voted down overwhelmingly.

The union struck Lucky, and Safeway then locked out its 1,000 Northern Cal Teamsters. The companies claimed they were ready for a long strike.

But they weren't ready for the rank and file. The strikers organized a leafletting campaign to ask customers to boycott Lucky. With an elected rank-and-file strike committee coordinating the effort, groups of Lucky and Safeway Teamsters covered dozens of supermarkets, seven days a week. "You gotta marry your store," was how one striker explained it. Many strikers benefited from their experience leafletting in support of the Fleming strike earlier this year.

Strikers Use Creative Tactics

TDUer Steve MacDonald, a Lucky driver in Local 490, hired a plane to fly over 30 stores, as well as the Oakland Coliseum during the World Series, with a banner that read, "Don't shop at Lucky." Boycott leaflets were written in English, Spanish, Vietnamese and Thai.

While newspapers carried reports of scab drivers smashing trailers, groups of strikers wore their company Safe Driver shirts. An Aug. 25 letter from a Lucky executive, congratulating workers for record sales in the third quarter of 1988, was enlarged to poster size and displayed for customers.

Before the strike, Lucky used productivity standards to drill workers to full speed. During the strike, workers put it to their advantage. "We turned the most efficient grocery operation into the most efficient leafletting operation," said one strike leader.

Lucky's business fell off dramatically. One Teamster reported that in his city "you could have landed an airplane in Lucky's parking lot."

Shoppers and employees of nearby stores praised the strikers' courtesy. Other supermarkets reported substantial increases in business.

There are no figures on how much the strike cost Lucky, but what is for sure is Lucky and Safeway, who claimed they were doing "business as usual" and could weather a long strike, changed their tune in a hurry. Within two weeks the strikers had a new offer.

The second offer extended the wage freeze to April 1992. It also delayed the "parity" clause until then, which meant the Certified warehouse in Stockton would negotiate two contracts in the meantime.

Chuck Mack, head of Joint Council 7, came to Local 490 to push for a "Yes" vote. Officers went to picket lines and urged members to vote in favor. The second offer passed 861-524. "If we could have voted it down one more time," said one striker, "parity would have been gone."

After the vote, strikers passed out balloons at Lucky stores that read, "Teamsters thank you for supporting our union." Brother MacDonald hired a plane with a banner that read, "Teamsters Say Thanks/Shop Lucky."

No strike can be considered a total victory when workers get a four-year wage freeze at a profitable company. Yet there are positive lessons from the Lucky and Safeway Teamsters' struggle. By thinking for themselves and becoming actively involved, the members did far better than if they had gone along with the leaders who tried to sell the first offer. Lucky and Safeway came back to the bargaining table because the rank and file forced them to, with effective public outreach.

In at least one local—Local 490—the strike created new unity and communication among drivers, warehouse workers, clericals and janitors. "You can't put a price on what we've gained," said one member.

No jobs were lost because of strike activity. The wage progression for new hires was cut in half. Health and welfare benefits were increased. A week after the strike ended, the Certified warehouse in Stockton got a new three-year contract with 50¢-40¢-40¢ wage increases. That goes a good part of the way toward eliminating the wage difference between Certified, and Lucky and Safeway.

Grocery Bag

Green Bay Drivers Get Shortchanged.

Drivers at Super Valu's Green Bay division have learned the hard way that a contract isn't always what it seems.

In June 1987, Local 75 agreed to a new contract that lowered the wage progression for new hires to 70% of scale instead of 75%. The contract had no specific language on casual drivers who, having moved up their separate wage scale, then became permanent employees. Would a casual employee who had reached 90% and then become permanent have to start at the bottom of the scale? A Local 75 steward told one of the casuals that the union "didn't know" what would happen in this situation.

After the new contract took effect, several casuals became permanent employees. They continued to progress up the wage scale, as they would have done under the old contract. Then in June, the company decided that these former casuals were being paid too much, and put them lower down on the scale—as if they had become "new hires" when they became permanent employees.

When three drivers filed a grievance over this pay cut, a Local 75 BA said they "didn't stand a snowball's chance in hell" and refused to process the grievance. When a charge was brought before the NLRB, the Board defended the BA's right to let the company lower wages.

The next time Local 75 negotiates a contract with Super Valu, drivers will be more careful to read between the lines and not assume anything.

Philadelphia Fleming Drivers Win.

Eight California Teamster locals were nearing the third month of their strike against Fleming Foods last August with no end in sight. Nearly 3,000 miles away, Philadelphia Local 500 became the first local to spread the Fleming strike beyond California. Soon after Local 500's action, the International extended the strike to six Fleming facilities in the Midwest.

By September, Fleming Teamsters in the Midwest and California were back on the job. The California strikers are still without a contract, pending possible arbitration. Meanwhile, Local 500 stayed on strike.

Now the drivers in Local 500 have come back victorious. A new three-year contract was reached with 35-cent wage increases each year and no givebacks. Philadelphia Fleming drivers now make $15.13 per hour.

The strike effectively shut down Fleming's two warehouses in the area. Rank and filers leafletted stores that have accounts with Fleming, asking customers to boycott. "This union believes in solidarity," one Local 500 official told *Convoy Dispatch*. "We held our ground for 14 weeks—not one guy returned to work." Besides giving credit to the rank and file, the official also stated that the International had done "a hell of a job" in support of the strikers.

Southern California, Certified Get New Contracts.

Grocery Teamsters in five Southern California locals have a new master contract. The agreement's main selling point was a 50¢-40¢-40¢ wage increase, above the current rate of $14.31 for warehouse workers and $14.53 for drivers. Yet it does not address important issues such as subcontracting, job security or productivity standards. The worst part is that beginning now, retirees will have to pay $50 per month to continue to receive health and welfare benefits. Next year that figure will jump to $100.

One major company involved, Certified Grocers, dropped out of the Food Employers Council and tried to negotiate a separate deal. But members held firm and Certified ended up getting the master contract, rather than a sweetheart deal.

Before and during negotiations, TDU members held meetings and distributed contract literature. Employers were put on notice that the membership would not stand for concessions or a wage freeze from the profitable California grocery industry. The new contract is far from perfect but is still a better deal than would have been offered without the rank and file activity. One TDU member at Certified put it this way: "The thing that really helped us was the money all the Southern Cal grocery companies are making. Certified is expanding. Vons and Safeway are merging. Alpha Beta and Lucky are merging. Albertson's is building a new warehouse. The companies could not afford a work stoppage."

UPSers Act to Strengthen National Network

As discussion turned to Majority Rule, the eyes of UPS Teamsters from 22 states lit up and one UPSer rubbed his hands together as if to warm up in earnest. The scene was the first of two national UPS meetings at the TDU Convention.

UPSers are proud of their majority rejection of the current contract. But they are hungry for substance: the negotiation and enforcement of a contract that will protect them from production harassment, maintain their dignity and provide job security.

TDU members from UPS convened in Atlanta to develop a course of action for the coming year, with an eye on the next contract negotiations. UPS already has sounded the gun. It's not waiting for negotiations to officially begin.

Even before the TDU victory on Majority Rule was finalized by the General Executive Board's amendment to the IBT Constitution, UPS managers knew it was coming and were starting to fan the fear of a strike. Why? Because UPS fears the power inherent in Majority Rule and in rank and file Teamsters.

UPS Teamsters have for years had one arm tied behind their backs in negotiations. UPS loved the two-thirds rule because it gave the company a big negotiating chip. A contract merely had to meet the approval of a minority of the membership. In 1987, knowing dissatisfaction was at an all-time high, UPS dangled lump-sum ratification bonuses to entice a yes vote, and Jackie Presser and Dan Darrow told UPSers it was a good deal.

No more. UPSers demand respect and a decent contract. No smoke and mirrors. They don't begrudge UPS' success—they know their sweat makes it possible! They want their fair share of the rewards and humane working conditions. That can only come from collective bargaining by a strong union. Majority Rule will help UPSers build that strength.

Spreading the Network

In 1987 TDUers at UPS proved that communication, through distribution of *Convoy Dispatch*, and contract bulletins, builds a national solidarity that can reject a weak contract. TDU will be expanding distribution of literature in 1989. Members of the UPS Steering Committee of TDU, elected at the convention, will be keeping in touch with UPSers in their areas to strengthen our rank-and-file network. Several new chapter newsletters aim to focus on UPS, and TDUers on the West Coast are planning a joint UPS newsletter.

The second UPS meeting at the convention, titled "Campaign for Dignity & Justice II," broke into caucus groups based on job classification. Production harassment is a primary concern of all UPSers. UPS is the master programmer of divide-and-conquer techniques. The strongest antidote, of course, is worker unity.

More use must be made of Article 37 in the master agreement. Even proof of its impotence will be beneficial in the next contract talks. Often harassment is related to UPSers' union-related activities. In such cases, charges should be filed with the National Labor Relations Board. It is a legal right for Teamsters to file grievances and NLRB charges, and retaliation by UPS as a result of those activities is a further violation of law.

We must continue to talk solidarity with our brothers and sisters. Those drivers who month after month "prove" that UPS' industrial engineers are right by working off-the-clock and through their breaks and lunch hurt themselves and everyone else by letting UPS steal wages and assuring management that fewer drivers can continue to do more.

The same principle applies to inside workers. Is UPS ever satisfied with your production? Is there a conflict between the "safe" methods preached and the expectations practiced? Every standard attained causes a new standard to be expected.

Feeder drivers, who experience another kind of production harassment in 65-mph zones, are frustrated by the lack of job protection in Article 26, which purports to give UPS great flexibility in order to save jobs.

We understand the need for efficiency, but human beings are not clones. There are no production standards in our contract, and the union says it doesn't recognize production standards, but everyone knows they are there—and they hurt people. TDUers, as good unionists, protest these abuses and stand for the common good.

Join TDU and build the solidarity network at UPS. Don't wait till the last 19 months of this contract run out.

UPS Steering Committee of TDU

Richard Black
Atlanta Local 728

John Braxton
Philadelphia Local 623

Dan Campbell
Saginaw, Mich., Local 486

Steve Cox
Knoxville, Tenn., Local 519

Joseph Duvall
Portland, Ore., Local 162

Mark Franks
Charlotte, N.C., Local 71

Jerry Galmari
Springfield, Mass., Local 404

John C. Henley
Toledo, Ohio, Local 20

Larry Hughes
Fresno, Calif., Local 431

Doak Jones
Oakland, Calif., Local 70

Jack Mallaghan Jr.
Seattle Local 174

Connie McArthur
Seattle Local 174

Debra McBride
Charlotte, N.C., Local 71

Vincent Meredith
Louisville Local 89

Jim Moody
San Diego Local 542

Barbara Mooney
Phoenix Local 104

Michael Savwoir
Kansas City Local 41

J. Anthony Smith
Washington, D.C., Local 639

Lou Woodward
Tampa Local 79

Jake Workman
Sacramento, Calif., Local 150

Kroger Teamsters Must Unite In Face of Costly 'Restructuring'

In the near future, rank and file Teamsters at Kroger will be asked to finance a $3.8 billion financial deal.

Earlier this year, two Wall Street takeover artists sought to buy Kroger. Top management personnel stood to lose their jobs if either group took over, so instead they announced a company "restructuring" to maintain Kroger's independence. The restructuring involves selling certain divisions, cutting back the workforce, and making a special one-time payment to stockholders.

Kroger will go $3.8 billion in debt. Two years ago, another large Teamster grocery employer—Safeway—went $4.3 billion in debt to fight off corporate raiders. Safeway then demanded concessions from all its workers and threatened to sell any divisions that put up a fight. Hundreds of Teamsters lost their jobs. Safeway president Peter Magowan kept his $800,000 per year salary intact.

We can expect Kroger to try to force rank and file workers to foot the bill for the restructuring while the stockholders' wallets get padded. Just as the battle over Kroger erupted, the International was in negotiations with the company over national contract language, which is inserted into almost all the local supplements. The negotiations were suspended. At press time, it was not known if talks had started again.

The need is more pressing than ever to build unity and coordinated action among the 20 locals that represent Kroger Teamsters. Earlier this year, the International showed its willingness to coordinate action among many locals during the Fleming strike. Yet, in a recent letter, IBT Warehouse Division Director C. W. "Bud" Smith sympathized with the company: "Our proposal to increase the pension contributions by 1.5 million dollars per year is the cause of some concern to (Kroger labor-relations executive) Don Summers. ... The company, if successful in restructuring, will have to leverage a lot of money and it is going to be very difficult for us to get the increase we need for our members." In 1987, Smith collected a total of $189,926 in salary and expenses from four union jobs.

In the third quarter of this year, Kroger sales were up 8.4% over the same period last year. Third quarter net income was up 24.1% to $56.2 million. For the first three quarters of 1988, Kroger net income was $153.5 million, a gain of 13% from 1987.

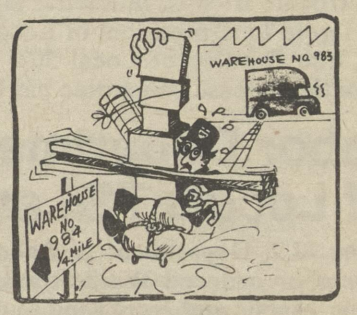
Kroger Teamsters need to send a clear message that our labor makes the company profitable and we will not allow management to pay debts out of our pockets. A petition is circulating, asking IBT President William McCarthy to become personally involved in negotiations over the national language, given Bud Smith's ineffectiveness. The petition also asks McCarthy to negotiate for protections against subcontracting and job loss, and for a $2,000 per month 30-and-out pension benefit at any age.

RICO Trial Date Set

The racketeering lawsuit filed by the U.S. Justice Department against members of the General Executive Board and the IBT is set for trial beginning Feb. 27, 1989. The trial could last anywhere from two months to a year. TDU believes a settlement also is very possible.

What UPS Won't Tell You

The UPS Incentive/Bonus Plan sounds too good to be true. It is. UPSers know nothing comes without a price. The cost to UPS of the few who make bonus is exceeded by increased production and fewer bargaining-unit jobs. This new three-panel brochure, ***What UPS Won't Tell You***, explains the pitfalls of the plan, your legal and contractual rights, and strategies for keeping it out—or getting it out—of your center.



Price: $1 for 25 copies; $2 for 50 copies; $3 for 100; $2 for each additional 100. Single copies free to TDUers and rank-and-file UPS Teamsters on request.

Send me _____ copies. Amount enclosed $ _____ *or*

VISA/Mastercard # _____ Exp. date ____/____

Signature _____

Name _____

Address _____

City/State _____ **Zip** _____

Return to TDU, Box 10128, Detroit, MI 48210

Upstate New York

Pension Project Circulates Petition

At every TDU meeting held in upstate New York in the past six months, members complained about pension benefits and wanted to know how they could be improved. Inspired by the 30,000 signatures collected by TDU members under the Central States Pension Fund, New Yorkers decided to circulate their own petition requesting increases in benefits.

Benefits Tied to Contributions

The New York State Teamsters Conference Pension and Retirement Fund covers most members of 15 locals (65, 118, 182, 232, 294, 317, 375, 449, 506, 529, 648, 649, 669, 687 and 693). Monthly benefit levels are tied directly to the amount contributed by employers for each member. Each retiree collects a different benefit, which can only be determined by adding employer contributions over the member's working life, a figure that is solely in the possession of the fund.

Members have reason to be concerned about the administration of the fund. Two years ago the Securities and Exchange Commission challenged a fraudulent stock market scheme that cost the fund hundreds of thousands of dollars. TDU members initiated a lawsuit, which was quickly joined by the trustees of the fund, to recover the money. The stockbrokers involved are now defending criminal charges in federal court.

TDUers believe that innocent members should not suffer for the fraudulent acts of dishonest stockbrokers. A properly managed fund should be able to provide a decent standard of living after 25 years of work.

The petition requests the following improvements:

- A minimum of $2,000 for 25-and-out at any age;
- Medical benefits for retirees;
- A cost-of-living adjustment to increase pensions annually by the same percentage as the inflation rate determined by the U.S. Bureau of Labor Statistics;
- Elimination of the rule prohibiting "re-employment" of retirees;
- Complete and full reciprocity with all Teamster pension plans in the Eastern Conference.

Copies of the petition can be obtained from (and should be returned to) the TDU Pension Project, 30 Third Ave., Room 620, Brooklyn, N.Y. 11217, or call (718) 834-0631.

Wives Up Front

Pensions Leave Widows in Cold

Teresa Davis
Local 667, Memphis, Tenn.

I'm so mad I can't see straight with the way they sold out the Teamster pension plan. I've been a long-haul truck driver's wife for going on 35 years and what do we get? – a Big Fat Nothing.

I've spent most of the holidays by myself, raised the children mostly by myself, been my own "repairman," and much more – and all the thanks we truck drivers' wives get for all the heartaches we've been through is a measly part of his pension.

What are we supposed to live on? How many of you wives know you get left out in the cold? We get nothing but maybe a small insurance and half of his social security check – can you live on that? To get any widow's pension at all, your husband has to agree to take reduced benefits. And even then, if he should pass away you will only get half of that reduced amount. Is that fair?

So wives, let's get behind TDU and help fight for a fair share of his pension for our Lonely Golden Years. We have earned it. If it was not for those poor old truck drivers out there delivering goods, this country would be in a mess. Please folks, say a prayer for those long-haul truck drivers and the lonely wives and children they leave at home.

Big Pension Increase Promised

IBT President William McCarthy announced to over 1,000 Teamsters assembled in Chicago on Oct. 28 that a big pension increase is coming, in the range of $500 to $1,100 a month. The applause was enthusiastic.

For Officers Only

But before you rejoice, this increase is not for any rank-and-file Teamster pension plan, but for the Affiliates Pension Plan, which covers every full-time Teamster business agent and official in the country. This is one of many special pension plans reserved for officers only. All full-time BAs and local officials in the Western, Southern and Eastern Conferences have at least three pension plans, and this is one of them. They are funded from members' dues.

The Affiliates Plan is already more generous than any plan for the rank-and-file retiree, and also includes severance benefits for all BAs and officials who quit or get voted out of office.

McCarthy made the announcement at a meeting he called to introduce himself to local unions, which he instructed to send at least two officers. While the pension announcement was a hit, his long, rambling presentation was poorly received. Especially unpopular was his endorsement of George Bush for president.

A Solidarity Fund We Don't Need

IBT Officials Form Defense Fund for Friedman, Hughes

Are you tired of giving up your wages? Are you sick of cuts in benefits?

Well, just think of what poor Harold Friedman has been through. Several concerned officials are banding together in a show of solidarity and sympathy for Friedman and Tony Hughes by establishing a fund to defray costs in their defense against charges of embezzling nearly $1 million from the membership of Local 507.

The defense committee, headed by Bob Cassidy, Norman Greene, Larry Parrott, Marion Winstead and Jack Yager, is making an urgent appeal to the Teamster membership to aid their unfortunate friends. In a letter signed by Harold Leu, president of Local 20, and Bob Kavalec of Local 507, they claim the defense committee has been organized, in part, to assist Harold Friedman, but that it's "really organized to help each and every one of us." It seems poor Harold has had to pay $400,000 to defend himself against the charges of embezzlement. In addition, he's had to pay another $100,000 in defending himself in the RICO lawsuit.

The letter states, "Harold's fight is all of our fight. If the government can do this to Harold they can do it to every one of us." So the next time you're considering stealing the memberships' money and hiring ghost employees, remember, Harold's fate could be yours. It kind of brings a tear to your eye just thinking about it.

Meanwhile, the trial of Friedman and Hughes continues in Cleveland.

Labor Department Orders Reuniting Of Locals 728 and 928 in Georgia

The U.S. Department of Labor in November ordered Weldon Mathis, Lamar Mathis and Jerry King to unite Locals 728 and 928 and hold a fair election for Georgia Teamsters under court supervision.

Jerry King, the Mathis appointee who heads Local 728, and Lamar Mathis, the Mathis-appointed "trustee" of the new Local 928, have said they will refuse to comply with the order. The Department of Labor is expected to file suit in federal court.

Mathis and King have stated it would be too costly to merge the locals into one again. But elementary arithmetic indicates two payrolls, two sets of overhead and administrative costs – and a planned new Local 928 hall to boot – is more costly now.

Mathis and King could simply agree to hold a fair, impartially monitored election, but would rather spend the memberships' dues money to delay the inevitable election, while clinging to their appointed posts.

Meanwhile, the Teamsters for Democracy (TFD) slate continues to organize and unite all Georgia Teamsters for a strong and democratic union.

TFD filed the legal action that uncovered the rigging of the local election in October 1987. Weldon Mathis, forced to resign his position, promptly split the local to protect the family's interest, and installed his son to head the new Local 928.

Changes to IBT Constitution

The text of the change in the IBT Constitution, Article XII, Section 1, dealing with Local Contracts. The language for national contracts is virtually identical. Full text available from TDU.

Amend Article XII, Section 1 as follows:

Delete the first paragraph of Section 1(b) in its entirety and substitute the following new Section 1(b):

"(b). Agreements shall either be accepted by a majority vote of those members involved in negotiations and voting, or a majority of such members shall direct further negotiations before a final vote on the employer's offer is taken, as directed by the Local Union Executive Board. During negotiations, the Local Union Executive Board may order a secret ballot strike vote to be taken and when, in the judgment of the Local Union Executive Board, an employer has made a final offer of settlement, such offer must be submitted to the involved membership for a secret ballot vote as hereinafter provided;

(1) If more than half of the members eligible to vote cast valid ballots, then a cumulative majority of those voting in favor of the final offer shall result in acceptance of such offer; and a cumulative majority of those voting against acceptance of the final offer shall authorize a strike without any additional vote being necessary for such strike authorization.

(2) If less than half of the eligible members cast valid ballots, then a 2/3's vote of those voting shall be required to reject such final offer and to authorize a strike. The failure of such membership to reject the final offer and to authorize a strike as herein provided shall require the Local Union Executive Board to accept such final offer or such additional provisions as can be negotiated by it.

When the final offer has been rejected in accordance with this Section, it shall constitute authorization for a strike at such time and under such terms and conditions as the Local Union Executive Board may determine.

Any question arising from the application or interpretation of this Section shall be decided by the General President whose decision shall be final."

Promise of Change Gets Carhaul 'Yes' Vote

Teamster President William McCarthy's broad promise to process all grievances, monitor "decisions at all levels," and "make this contract work during the next three years" resulted in carhaulers' 2 to 1 approval of the second contract offer.

A 66% "Yes" vote was reported Oct. 21. TDU and Carhaulers Coordinating Committee (CCC) Co-Chair Joe Day of Anchor Motor Freight was an official observer at the vote count, at the union's request.

The second offer removed a major concession (the "new business clause") from the first offer, which had been rejected by 72%. The CCC had pointed out several remaining problems with the proposal, particularly in the grievance procedure. In the last contract bulletin prior to the second vote, the CCC had urged members to "Take a Long, Hard Look."

But in asking for a "Yes" vote in his ballot letter to carhaulers Sept. 28, McCarthy wrote, "I can assure you that **all grievances filed under this agreement will be processed in a timely manner** and, with the full cooperation of Ernie Tusino, my co-chairman, **we will be monitoring the decisions at all levels.** Ernie Tusino is the Union Chairman of the Eastern Committee and he has had much experience in moving the grievances and achieving excellent results."

McCarthy assumed the office of Teamster president after the negotiation of the first offer. He soon replaced Walter Shea as chairman of the National Negotiating Committee and later as head of the National Grievance Committee. Shea is an International vice president who votes with McCarthy's faction on the union's divided General Executive Board.

McCarthy closed his letter, "We now seek your support by voting to ratify this contract and you will have my full support to make this contract work during the next three years."

Joe Day recounts one concrete indication that McCarthy's pledge was a major factor in the vote: "One steward from a major barn on the East Coast included a note with his secret ballot. It said that McCarthy and Tusino deserved a chance and that this steward was voting for the contract to see the grievance procedure honored. If that did not occur he would never vote yes on a contract again.

"Although I felt we could and should have got a better contract, I wanted the vote to go strong one way or another. I believe most members who voted yes agreed with that steward. I hope McCarthy and Tusino see it that way."

Atmosphere Improves

Enforcement of this contract is in very sad shape. We have many members, stewards and business agents who are discouraged and disgusted. Many bad practices are becoming entrenched. Reports from the grievance panels in all areas indicate the atmosphere is more businesslike and the BAs seem to be trying to do a better job. That's a great start, though it should be noted that members attending the Illinois-Wisconsin panel regard it as an improvement that panel members appear to be awake during hearings.

It is also good to report that Tusino has talked to many members on the phone and has answered many letters. He has publicly stated he will visit carhaul meetings in locals around the country. However, as the accompanying story shows, he passed up a chance to open up a meeting to rank-and-file delegates in the Western Conference and has yet to take action to draw together the Dixie drivers so they can have some real say over their own fate.

The shock effect of the first contract vote and the change of leadership will wear off unless more lasting steps are taken. We must face the fact that along with our many good BAs, we have some who are just serving their time before they switch over to management.

From the beginning of these negotiations we have called on our officials to establish a formal council where elected representatives from our carhaul terminals can meet to coordinate enforcement, aid in organizing and make policy recommendations to our top officials. That is the kind of dramatic action that can turn the promise of McCarthy's letter into a rebuilding of our union in carhaul.

E&L Mileages

Isn't it amazing what greed can do to simple geography? Local 299 E&L drivers are based in Woodhaven, Mich., and also haul Mazdas out of Flat Rock, Mich. Mileage from Woodhaven to Naperville, Ill., is about 321 miles, but pays only 298 miles, a savings of about $15 per leg for management bonuses.

Although the actual mileage from Flat Rock is just a little less, 320 miles, the company cuts this pay all the way to 279 miles, a cut of $15 more. But the company's mileages should indicate that the trip from Woodhaven to Flat Rock is 298 minus 279, or 21 miles. Here, however, management pays the actual mileage – three miles. This is just one example of a nationwide problem we hope to see addressed by our new union leadership.

Rohrer Takes Good Half-Step Toward Coordinating Action at Ryder System

A recent case in the Western Conference is a good half-step toward combatting management schemes to play one terminal, local or division against another. But it also shows a major failing that Teamsters must overcome to be effective. Other carhaulers have been, or will soon be, affected by these management schemes, including Dixie Auto Transport, all Driveaway Teamsters, and Leaseway carhaulers.

The good half-step is a meeting to coordinate the union's response to our conglomerate employers. The failing is closing of this and similar meetings to elected rank-and-file representatives who are the most familiar with the problems and will have to approve and live with any deal made.

At the September grievance hearings in Albuquerque, George Rohrer, chairman of the Western Carhaul Grievance Committee, "asked all Local Unions having problems with Ryder owned companies to hold their cases until we could have a meeting with all the locals to determine what this group of carriers was up to," as he explained later in a letter to Teamster President William McCarthy.

"When you consider that many of the locals have terminals of two or more of the carriers within their jurisdiction and cross haul, not only within their own area, but out of the jurisdiction of other local unions, you can begin to understand why I have requested a meeting of the locals," wrote Rohrer.

The grievance panel minutes said the meeting would be Nov. 8 and 9 at the Teamster Western Conference office in San Bruno, Calif. Rohrer's letter listed the locals involved: 961, 222, 190, 104, 63, 70, 223, 741, 690, 490, 533, 692, 492. Ryder companies in the Western Conference are: CCI, Port Terminal, Convoy, Fleet, Transport Storage and Warehouse, and Greater Overland.

Stewards Barred from Meeting

CCI employees from Phoenix Local 104 agreed to hold back grievances on which clear precedents had been won and money paid. These cases involved Ryder deadheading Convoy drivers into Phoenix to haul CCI traffic not in the direction of their home terminals, while CCI drivers were laid off.

The CCI employees were shocked to hear later from Local 104 that their steward would not be allowed to attend the meeting. Several dozen employees fired off a letter to McCarthy:

"An adverse decision by this committee could hurt every driver in the Western Conference. ... Our experience and information should be present. ... We the drivers have never claimed the right to all the freight. We recognize the company's need for drivers to backhaul freight back to their home terminals, and we are willing to share. But we cannot accept Ryder Auto Carrier Division bringing in their other companies or terminals to take our freight to destinations nowhere near their respective home domiciles."

They requested McCarthy's intervention guaranteeing their input at the meeting. Unfortunately, Ernie Tusino, the National Grievance Committee chairman, replying for McCarthy, merely sent them a copy of Rohrer's letter.

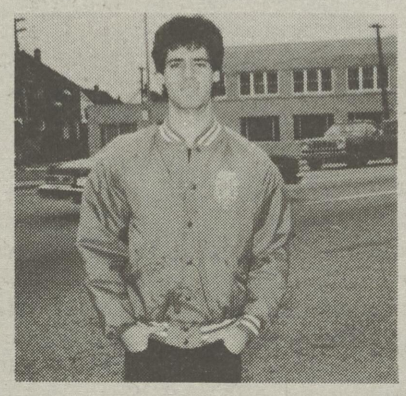
In several key situations the fact that elected representatives of the members have not been involved has cost our union dearly. **At Dixie Auto Transport** the union has not once called a meeting of representatives of the drivers themselves, despite repeated urgings to our top officials. Instead, there have been hastily called meetings dominated by officials like Jerry Cook and Walter Shea.

Teamsters in **Driveaway** not only face relentless pressure and deception from the dominant employer, Jupiter Transportation, but are saddled with a number of business agents whose only answer to the company is "yes." A conference of elected delegates to coordinate policy and to recommend a new chair of the driveaway grievance panel is a matter of urgency.

We have already seen Leaseway's efforts to play one division against another. The failure in these negotiations to unify the protections of Articles 39 and 42 in the Eastern Conference Supplement only means these pressures will increase. The informal network of BAs and stewards at **Leaseway in the Eastern Conference** has been weakened by the retirement or elevation of some key personnel. Reviving that network and making it official will not only protect Leaseway carhaulers. It can set an important example for the rest of the industry.

Get in Fashion with TDU

We are proud to introduce new baseball-style TDU jackets, featuring TEAMSTERS FOR A DEMOCRATIC UNION on the back and the Teamster logo on the front. Choose royal or navy blue with white lettering, and flannel or quilted lining. Union made. Small, medium, large and extra large. $35 each.



Please send me _____ jacket(s)

Color:

___ royal blue ___ navy blue

Lining:

___ quilt lining ___ flannel lining

Amount enclosed $ _____ *or*

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Signature _____

Name _____

Address _____

City/State _____ **Zip** _____

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What Are They Afraid Of?

'Big Lie' Hits as TDU Scores Major Goal

A renewed "Big Lie" campaign recently has been launched against TDU and dissent within our union. It originated in Detroit under the watchful eye of IBT Vice President Robert Holmes and filtered out (at union expense) to certain other officials who fear TDU and the rank and file.

It is no coincidence that this latest slander campaign comes just as a major victory—Majority Rule on contracts—capped years of TDU effort. It is also no coincidence that it is put out by Richard Leebove, the same Big Lie artist who formerly wrote materials for Lyndon LaRouche against TDU and who, in the early 1980s, wrote the BLAST newspaper until a TDU lawsuit and a government investigation put BLAST out of business.

Funded by Employers?

Like earlier Leebove publications (all now out of business), the recent pap combines lies and distortions about TDU, charging TDU is "funded by employers" and including phoney documentation to try to back it up. For example, Leebove's material states that the "Edward I. Ford Foundation" gives TDU money and this foundation owns stock in Overnite Transportation.

This is nothing but a forgery. We had to do a little research to locate this organization, which is in Providence, R.I. A review of its annual report reveals it only funds schools. Once again, it was simply a lie.

The publication claims TDU funds candidates for local union office. The national TDU movement does not in any way do this and never has. Another complete lie.

Finally, the publication claims that if anyone owns any stock in any company, and donates money to TDU, this means employers back TDU. This is totally ridiculous. Many Teamster members own stock. Our Teamsters union owns stock, in fact many millions of dollars of it (see box). Teamster pension funds own stock. There is nothing wrong with that. TDU owns no stock, because our cash reserves are modest and kept in a money-market bank account. Receiving donations from folks who own stock is not being supported by employers.

Who Funds TDU?

TDU itself is funded 100% by Teamster members, mostly through our membership fees. Other income is from donations, fund-raising drives, literature sales, etc. One sizable source of income, duly noted in the financial report distributed at our Rank & File Convention, was from Leebove's BLAST squad—damages TDU won from them in a legal victory!

Eleven years ago TDU members set up the Teamster Rank & File Education and Legal Defense Foundation (TRF) to carry out the functions the name conveys. At the October TDU Convention, over $20,000 was donated or pledged to this fund by members in attendance. A special fund drive among TDU members right now is aiming to match that, for a $40,000 war-chest to protect the rights of all Teamster members. Hopefully, many more such donations will be received over the coming year.

The Education and Legal Defense Fund also appeals to other unionists and pro-labor institutions for support. This is SOLIDARITY extended to those Teamsters on the front lines of labor's battles. Religious organizations, such as the Catholic Church's Campaign for Human Development, have supported us. So have charitible foundations, such as the Field Foundation. These are organizations dedicated to helping grassroots people win more rights through such projects as voter registration drives and community organizing. These foundations have supported many labor projects, such as films about the labor movement, the Coalition of Labor Union Women and more.

Union leaders and members themselves have extended solidarity to Teamster members. The Nat Weinberg award was recently won by TDU organizer Ken Paff (see story this page).

We are proud to say that some 23% of the total funding for the Teamster rank and file comes through this solidarity. But the vast majority of funds come from Teamster members themselves. And not a penny comes from any employer-related source, or from any graft, employer kickbacks, ghost employees, embezzlement, multiple pension plans or padded expense accounts!

The total budget of both TDU and the Education and Legal Defense Fund for 1988 is some $429,000, far less than the salary alone of Teamster Vice President Harold Friedman, presently on trial on charges of racketeering and embezzling union funds to pay ghost employees.

That's who funds this movement. Concerned Teamsters. And we also proudly get some help from the broader labor community. No employer has ever even offered to help TDU, which is dedicated to a strong, democratic union. Can you imagine trucking employers wanting to fund the movement that led the rejections of concessionary contracts? That won Majority Rule to get stronger contracts?

So why do certain Teamster officials hire a crony of the crackpot Lyndon LaRouche to come out with Big Lie campaigns against any organized movement of the rank and file? Because they are afraid. Not just of TDU, but of you. Afraid that you and other working Teamsters will join together, win the Right to Vote for our top officers, and put people like Harold Friedman out of millionaire jobs. They have good reason to be afraid, because we will not stop until that job is done.

Who Owns Stock?

Recent Big Lie sheets about TDU have claimed TDU gains income from stock dividends. TDU owns no stocks and receives no money from any employer-related source whatsoever.

But we decided to check into stock ownership by our union. Financial reports for 1987 filed by the IBT report the union held $13 million in common stock, $57 million in corporate bonds, $8.5 million in commercial paper and $15 million in insurance contracts. The IBT received over $11 million in dividends and interest, and $1.6 billion by selling investments.

TDUers Joe Day of Local 170 and J. Anthony Smith of Local 639 have written to the IBT requesting to review specifically what these stocks and corporate bonds are. Teamster members have a right to know this information under the Landrum-Griffin Act. After six weeks, no answer has been received. TDU attorneys have given the IBT notice that unless it provides the information, legal action will be taken in federal court. We feel they should not be allowed to hide this information from the Teamster union members, whose dues are involved in these dealings.

Who's Behind the Big Lie?

This is Richard Leebove, who wrote and published the recent Big Lie sheets on TDU and was hired by IBT Vice President Robert Holmes of Michigan. Who is this man?

- He was formerly the paid "Teamster expert" for crackpot Lyndon LaRouche, who was recently indicted for racketeering.
- He was the LaRouche Party candidate for attorney general of Illinois in 1978.
- He was exposed as a fraud in a nationally syndicated column by Mike Royko, who detailed his Big Lie activities and fake credentials (*Chicago Sun Times*, Feb. 7, 1980).
- He wrote and published the BLAST publications and orchestrated its violent, goon squad activities against TDU and other dissenting Teamsters. BLAST was put out of business by TDU legal action and by the investigations of the President's Commission on Organized Crime.

Prior charges about TDU by Leebove include: that TDU is funded by the Right to Work Association, Russian agents, Ayotollah Khomeini, Senator Edward Kennedy, Wall Street bankers, socialists, illegal drug traffic, the Queen of England, communists, Ralph Nader, and employers! TDU has documents on file regarding each and every one of these bogus charges. Leebove certainly is no stranger to publishing lies.

TDU Organizer Wins National Labor Award

TDU national organizer Ken Paff was chosen in August as the one labor leader nationally to win the prestigious Nat Weinberg Award. Ken was selected for his tireless work on behalf of rank and file Teamsters.

TDU Organizer Ken Paff

Writing to announce the award, Ruth Weinberg stated, "the Sponsors seek to identify and recognize men and women who carry on in the Nat Weinberg tradition by stubbornly refusing to accept defeat and by asserting the right of working people to address and solve the problems that confront them."

The sponsors of the award include international presidents of the United Auto Workers, United Mine Workers, and Machinists, members of congress, senators, and prominent pro-labor religious and intellectual leaders.

Nat Weinberg, who died in 1985, was for some 50 years a crusader for the labor movement and for social justice. He served in many capacities, including as a leader of the United Auto Workers.

The sponsors' statement on the award to our TDU organizer cited Ken's "leadership in the courageous effort" to reform and revitalize the Teamsters union. Along with the honor, the award carries with it $3,500, which was presented Oct. 22 by Victor Reuther at the TDU Rank & File Convention. Although the award was a personal one, Ken has pledged the money to the TDU movement.

"I accept this award on behalf of myself, but more importantly on behalf of the many, many dedicated unionists in our TDU organization," Ken said. "With our present growth, we need to hire additional staff organizers, and I'm happy to aid in a fund drive to accomplish that."